

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2021-211-T - ORDER NO. 2021-656  
OCTOBER 12, 2021

IN RE: Application of Elite Movers, LLC to Amend     ) ORDER APPROVING  
      Its Tariff   ) TARIFF AMENDMENTS

**I. INTRODUCTION**

This matter comes before the Public Service Commission of South Carolina (Commission) by the Application of Elite Movers, LLC (Elite Movers or Applicant). The company holds a Class E household goods motor carrier certificate and seeks approval to increase its hourly rates and other tariff changes.

**II. FACTS, PROCEDURAL HISTORY, AND EVIDENCE OF RECORD**

The Commission first granted Elite Movers certification as a household goods motor carrier, on a state-wide basis, on February 5, 2020<sup>1</sup>. On June 22, 2021, Elite Movers filed an application with the Commission asking to amend its tariff. On July 27, 2021, Elite Movers filed an amended proposed tariff noting additional changes.

By letter dated June 30, 2021, the Clerk's Office of the Commission instructed the Company to publish a Notice of Filing (Notice) in newspapers of general circulation in the areas affected by the Application. Among other things, the Notice summarized the Company's proposed tariff changes and set an intervention deadline of August 5, 2021. The Commission required Elite Movers to publish the Notice on or before July 15, 2021,

---

<sup>1</sup> See Docket No. 2019-336-T.

and to provide proof of publication to the Commission no later than August 5, 2021. Elite Movers published the Notice in *The Post and Courier*, Charleston County, on July 3, 2021, and submitted proof of filing to the Commission on July 12, 2021. No person intervened as a party of record.

The South Carolina Office of Regulatory Staff (ORS), a party of record pursuant to section 58-41-10(B) of the South Carolina Code of Laws (Supp. 2020), conducted a compliance review of the Company's Application on July 21, 2021. By letter dated August 9, 2021, ORS informed the Commission Elite Movers was in compliance with Commission rules and regulations. In addition, ORS noted the Applicant was also in compliance with its Annual Report and Gross Receipt filing requirements, and ORS verified it did not receive any consumer complaints regarding this Applicant in the past 12 months. ORS also provided to the Commission a table, as has been its practice in tariff amendment dockets, comparing the current tariff rates of the Applicant, with the proposed rates, and setting forth the rates of the South Carolina Tariff Bureau (SCTB).

On August 25, 2021, the docket came before the Commission and the Commission voted to carry the matter over and seek additional information regarding the rate increase. More specifically, the Commission took the following action as set forth in Directive Order No. 2021-538:

[The Commission voted to] request further information from Elite Movers, LLC explaining the bases for the proposed rate increases in the Company's proposed amendment, which would result in rates far in excess of the South Carolina Tariff Bureau's rates. Elite shall file these explanations with the Commission within thirty (30) days of the date of receiving this Order, with a copy also being sent to the Office of Regulatory Staff. . . . [and] that the Commission request that the Office of Regulatory Staff file a report within thirty

(30) days regarding the reasonability of the present use of the South Carolina Tariff Bureau Rates to compare proposed rates with those of other household goods movers.

On September 24, 2021, Charles L.A. Terreni, Esquire, counsel for Elite Movers, filed correspondence with the Commission providing explanation for its request to amend its rates. The reasons for the request are set forth in the correspondence and include information regarding increases in Elite Movers' operating costs, the rising cost of gasoline and diesel, and changes in the labor market. The correspondence also provided information to the Commission regarding the SCTB, asserting "they have no official status," and contending the calculations used by the SCTB are "fundamentally different" from Elite Movers' tariff.

On September 24, 2021, Christopher M. Huber, counsel for ORS, filed correspondence with the Commission responding to the Commission's directive order seeking more information. The following is an excerpt from the filing:

Consistent with past practice in dockets where Class E household goods carriers request to amend their tariffs, the table the ORS included as Exhibit A with its letter filed in this docket on August 9, 2021, contained a column with South Carolina Tariff Bureau ("Tariff Bureau") rates. The inclusion of Tariff Bureau rates in this table was not intended to be any form of indicator or metric of whether the proposed amended rates of Elite Movers, LLC ("Elite Movers") are reasonable. The Tariff Bureau is a nonprofit corporation whose subscribing carriers utilize its tariff. The Tariff Bureau is not a government agency and household goods carriers are not required to be subscribers or use its tariff. The ORS intends to no longer include information on Tariff Bureau rates in similar tables filed in future tariff amendment dockets.

The ORS does not evaluate or provide recommendations regarding the reasonableness of household good movers'

rates. Household goods movers are not granted the exclusive right to provide a service in a particular territory, and they operate in a competitive marketplace. The ORS does evaluate compliance with issues related to motor carriers' tariffs such as whether carriers are charging the rates set forth in their tariffs as required by S.C. Code Ann. Reg. 103-198 and whether a proposed tariff complies with the requirements of S.C. Code Ann. Reg. 103-190.

(ORS correspondence, pages 1-2, footnotes omitted.)

Having received additional information from both Elite Movers and ORS, the Commission took action in the docket on September 29, 2021, and approved the amendments proposed by Elite Movers to its tariff based upon the record. In addition, the Commission voted to open a generic docket to study the issue proposed by ORS related to SCTB rates and information needed with tariff changes regarding Class E licensees.

### **III. LAW**

The Commission is specifically authorized to regulate carriers of household goods, and to set their rates and charges: “[t]he commission must promulgate regulations necessary to control entry and certification standards, set rates and charges, and establish enforcement procedures and powers to govern the operations of carriers of household goods and hazardous waste for disposal.” S. C. Code Ann. § 58-23-590 (2015).

The Commission is authorized to fix or approve the rates charged by every South Carolina motor vehicle carrier: “[t]he commission shall regulate every motor carrier in this State and fix or approve the rates, fares, charges, classifications, and regulations pertaining to each motor carrier . . . . The rates once established remain in effect until such time when the commission determines the rates are unreasonable.” § 58-23-1010.

1. The commission shall make, fix, establish, or allow just and reasonable rates, fares, charges, classifications, and rules for all motor carriers subject to its rate jurisdiction.
2. As often as circumstances may require, the commission upon notice and hearing, if deemed necessary, from time to time may change or revise, or cause to be changed or revised, any rates, fares, charges, classifications, and rules of a carrier who operates under a Certificate of PC&N.

Regulation 103-191, S. C. Code of State Regulations (2012).

“Every rate made, demanded, or received by any motor carrier operating under a Certificate of PC&N . . . shall be just and reasonable.” Reg. 103-192. Once rates are approved, motor carriers are prohibited from charging more or less than the rates specified in lawful tariffs, schedules, or by specific order of the Commission:

[N]o motor carrier operating under a Certificate of PC&N shall charge . . . a greater or lesser or different compensation for transportation, or for any service rendered, than the rates, fares, and charges specified in the lawfully applicable tariffs or schedules in effect from time to time.

S.C. Code Ann. Regs. 103-198 (2012).

Furthermore, discrimination in the operation of a motor carrier’s certificate is prohibited:

[I]t shall be unlawful for any motor carrier operating under a Certificate of PC&N or FWA to make, give, or cause any undue or unreasonable preference or advantage to any particular person . . . or to subject any particular person . . . to any unjust discrimination or any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Reg. 103-197.

#### **IV. DISCUSSION**

Elite Movers requests approval to increase its hourly rates and to make other tariff changes. Elite Movers provided specific information to the Commission, as requested,

setting forth the reasons for the request. See correspondence dated September 24, 2021, providing evidence of fuel and labor increases impacting the operation of the company and analysis of the differences in the company's practices with SCTB rates.

The ORS Impact Study reveals Applicant is in compliance with Commission rules and regulations. ORS has not received any consumer complaints regarding Elite Movers in the last twelve months. Further, ORS provided additional information to the Commission indicating it "does not evaluate or provide recommendations regarding the reasonableness of household good movers' rates." (Correspondence dated September 24, 2021). Moreover, in its letter, ORS advised that it intends to discontinue the use or reference to the South Carolina Tariff Bureau Rates as part of the ORS Impact Study concerning Class E household goods movers.

## **V. FINDINGS OF FACT**

1. We find Elite Movers proposes an increase to its hourly tariff rates and other specific changes in its tariff.

2. After review of the Application and the Impact Study prepared by ORS, as well as the additional information provided to the Commission by Elite Movers and ORS, we find the proposed tariff hourly rates and the other proposed tariff changes are reasonable.

3. We find ORS has determined Applicant is in compliance with all applicable Commission rules and regulations, including the Annual Report and Gross Receipt filing requirements.

4. We find ORS has not received any consumer complaints about this Applicant in the past twelve months.

5. Elite Movers provided the Commission with the additional information requested related to the basis for its increase or changes in rates.

6. The Commission finds that the Clerk of the Commission should be instructed to open a generic docket to study or review the letter by ORS advising that it does not intend to use the South Carolina Tariff Bureau Rates as part of the ORS Impact Study concerning Class E household goods movers.

## **VI. CONCLUSIONS OF LAW**

1. We conclude the proposed changes and amendments to the hourly rates and certain other tariff changes are reasonable pursuant to Regulations 103-191 and 192.

2. We conclude the proposed changes and amendments to the hourly rates and certain other tariff changes are appropriate and shall be approved pursuant to the authority of the Commission set forth in section 58-23-1010 of the South Carolina Code of Laws (2015).

## **VII. ORDERING PROVISIONS**

### **IT IS THEREFORE ORDERED THAT:**

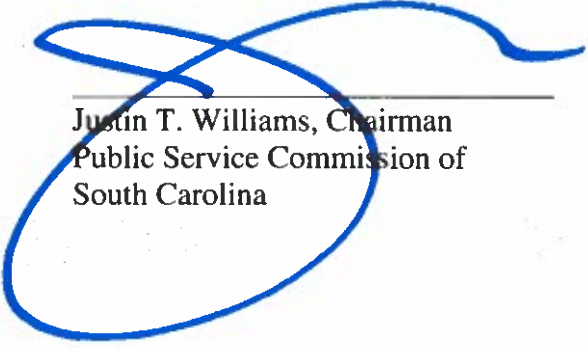
1. The Application of Elite Movers, LLC to amend its tariff is granted.

2. The proposed amendments to the hourly rates and other changes are hereby approved, and the Amended Tariff is approved. A copy of the Amended Tariff is attached hereto as Order Exhibit No. 1.

3. The Clerk of the Commission is directed to open a generic docket to study or review the letter by ORS advising that it does not intend to use the South Carolina Tariff Bureau Rates as part of the ORS Impact Study concerning Class E household goods movers.

4. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



---

Justin T. Williams, Chairman  
Public Service Commission of  
South Carolina



**REGULATIONS AND SCHEDULE OF CHARGES APPLICABLE**  
**TO CERTAIN INTRASTATE HOUSEHOLD GOODS MOVES**  
**WITHIN THE STATE OF SOUTH CAROLINA**

Elite Movers, LLC  
South Carolina Household Goods Tariff

---

**TABLE OF CONTENTS**

Title Page	1
Table of Contents	2
Applicability of Tariff	4
<b><u>SECTION 1</u></b>	5
1.0 Transportation Charges	5
1.1 Hourly Rates and Charges	5
1.2 Travel Fees	6
<b><u>SECTION 2</u></b>	6
2.0 Additional Services	6
2.1 Elevator or Stair Carry	6
2.2 Excessive Distance or Long Carry Charges	6
2.3 Pick Up and Delivery	7
2.4 Packing and Unpacking	7
2.5 Articles, Special Servicing	7
2.6 Waiting Time	7
<b><u>SECTION 3</u></b>	
3.0 Rules and Regulations	7
3.1 Claims	7
3.2 Computing Charges	8
3.3 Governing Publications	8
3.5 Items of Particular Value	8

**Elite Movers, LLC**  
**South Carolina Household Goods Tariff**

---

3.4 Bill of Lading, Contract Terms and Conditions 9

3.6 Delays

Elite Movers, LLC  
South Carolina Household Goods Tariff

---

**Applicability of Tariff**

This tariff contains the regulations and rates applicable to the provision of intrastate household goods moved by Elite Movers, LLC. These services are furnished between points and places in the State of South Carolina.

# Elite Movers, LLC

## South Carolina Household Goods Tariff

---

### SECTION 1

#### **1.0 Transportation Charges**

Transportation Charges are included the hourly rates as listed below on all moves within a 60-mile round trip from our office. All moves outside the round-trip will calculate a travel charge as listed below in section listed in Travel Fees.

#### **1.1 Hourly Rates and Charges**

Moves will be conducted on a "straight time" basis, with a minimum charge as set out below, plus actual travel time if exceeding 60-mile round-trip of our office. **There is a two-hour minimum. Jobs that take less than 2 hours to complete will still be charged for 2 hours of labor.** The clock starts at the appropriate hourly rate when the movers arrive at the client's house. The clock stops when the job is completed at the destination. Time is calculated in quarter hour intervals after the two-hour minimum.

#### Minimum Charges (2 hours or less)

- \$280 for Two Men and a Truck.
- \$380 for Three Men and a Truck.
- \$600 Four Men & Two Truck.
- \$800 Six Men & Two Truck.

#### Additional Hourly Charges After 2 Hour Minimum:

#### Number of Movers

Two Men and a Truck	\$120.00
Three Men and a Truck	\$160.00
Four Men and Two Trucks	\$240.00
Six Men and Two Trucks	\$320.00

**\* Any additional movers(s) will be billed at \$40.00 per hour.**

These rates include:

- 26-foot box truck;
- experienced moving technicians;
- Dollies;
- Furniture Protection/Padding (padding must be returned at completion of move or a charge \$10 per pad will be applied)

---

Date Proposed:  
Effective Date: \_\_\_\_\_

Page 5

## Elite Movers, LLC South Carolina Household Goods Tariff

---

- Shrink Wrap;
- All the essential tools needed to assure the move is done with excellence;
- Disassembly/reassembly (Included if needed).

### 1.2 Travel fees

Travel fees of \$1.50 per mile will be calculated based upon the distance in miles from our truck lot to the client's address, the end destination, and back to our truck lot. Example:

- $\$1.50 \times \text{total miles} = \text{Travel fee for truck jobs. Applied after exceeding a 60-mile round trip from our office.}$

**Overnight Storage Fees:** \$200.00 per night, per truck. Packing/unpacking jobs will follow the one truck hourly rate as listed above. **(Three-Day maximum overnight storage limit other accommodations must be made thereafter)**

**Additional Fees:** Additional fees are charged to move heavier items weighing more than 300 lbs., such as gun safes and pianos: \$125 per item..

**Other:** Elite Movers, LLC may refuse to move certain items, such as grand pianos, pool tables, and other items weighing over 450 lbs, if they pose a high risk of injury or liability.

## **SECTION 2**

### 2.0 ADDITIONAL SERVICES

The following charges shall be assessed in addition to the hourly rates quoted in Section 1 of this tariff, in connection with a move involving additional items:

#### 2.1 Elevator or Stair Carry

Elite Movers, LLC does not charge an additional fee for elevator or stair carry..

#### 2.2 Excessive Distance or Long Carry Charges

Elite Movers, LLC does not charge an an excessive distance or long carry charge for carrying articles to or from the motor vehicle.

## Elite Movers, LLC South Carolina Household Goods Tariff

---

### 2.3 Pick Up and Delivery

Elite Movers, LLC does not charge an additional fee for making additional pick-ups or deliveries after the initial stop.

### 2.4 Packing and Unpacking

**2.4.1** Elite Movers, LLC does not charge a separate fee for packing and unpacking. The packing rate is the same as the hourly rate listed in Section 1, plus the market price of packing materials, including sales tax on the materials.

**2.4.2** Elite Movers, LLC is not responsible for items packed by the customer. Boxes containing fragile or breakable items must be properly labeled. Elite Movers, LLC reserves the right to decline any moves consisting of extremely large or fragile items.

### 2.5 Articles, Special Servicing

The rates and charges in this tariff do not include servicing or connection of appliances such as freezers, refrigerators, computer equipment, washers, dryers, televisions, and similar articles. Nor does Elite Movers LLC. do any hanging, mounting, or unmounting of items on walls, ceilings and etc..

### 2.6 Waiting Time

The customer is charged the rates specified in Section 1 for all waiting time or delays which are not the fault of Elite Movers, LLC

## SECTION 3

### 3.0 RULES AND REGULATIONS

#### 3.1 Claims

**3.1.1** All claims for loss, damage, or overcharge must be written and should be attached to the Bill of Lading.

## Elite Movers, LLC South Carolina Household Goods Tariff

---

- 3.1.2** Claimant must notify carrier of all claims for concealed damage within 30 days of the move. Elite Movers, LLC must be given reasonable opportunity to inspect damaged items.
- 3.1.3** Although our movers will be careful with your possessions, from time to time damages may occur. If damages are caused by our service, Elite Movers, LLC reserves the right to repair the damage(s) in question. If we determine that damages cannot be repaired, we reserve the right to either replace or compensate (actual cash value) for the damage. If there is damage, notify Elite Movers, LLC immediately. Elite Movers, LLC will complete a damage report before leaving your site. If you discover damage after the move, call the office within 30 days of your move. No damage claims will be honored until the charges for moving services are paid in full. You will be asked to sign a Release of Liability acknowledging this.
- 3.1.4** In consideration of the rate charged, it is mutually agreed and understood that the liability of Elite Movers, LLC with respect to loss and/or damage of the consigned goods is limited to 60¢ per pound. Elite Movers, LLC shall not be liable in any event for any special or consequential damages including but not limited to loss of profits, income utility or market whether or not Elite Movers, LLC had knowledge that such damage might be incurred.

### **3.2 Computing Charges**

Elite Movers, LLC rates are computed by multiplying the applicable hourly rate by the time as provided in Section 1.

### **3.3 Governing Publications**

Elite Movers, LLC rates and charges are governed by the terms and conditions of this tariff, and the Rules and Regulations of the South Carolina Public Service Commission.

### **3.4 Items of Particular Value**

Elite Movers, LLC does not assume any liability whatsoever for documents, currency, credit cards, jewelry, watches, precious stones, or articles of extraordinary value including accounts, bills, deeds, evidences of debt, securities, notes, postage stamps, stamp collections, trading stamps, revenue stamps, letters, or packets of letters, alcoholic beverages, perishable items, aerosols & combustible chemicals, firearms, coin collections, articles of peculiarly inherent or intrinsic value, precious metals, or articles manufactured



## Elite Movers, LLC South Carolina Household Goods Tariff

---

there from. Elite Movers, LLC will not accept responsibility for safe delivery of such articles if they come into Elite Movers, LLC's possession with, or without Elite Movers, LLC's knowledge.

### **3.5 Bill of Lading, Contract Terms, and Conditions**

Each customer will be provided with a copy of Elite Movers, LLC's Bill of Lading. The terms and conditions of the Bill of Lading, attached hereto, are hereby incorporated by reference.

### **3.6 Delays**

Elite Movers, LLC shall not be liable for any delays in transporting household goods resulting from an act of God or fault or neglect of any unforeseen entities.